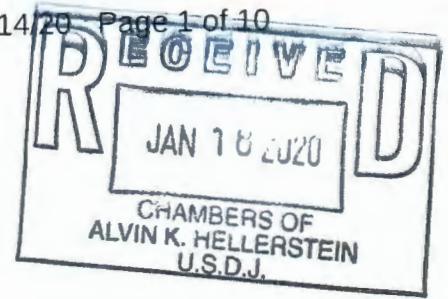


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



In re AMERICAN REALTY CAPITAL
PROPERTIES, INC. LITIGATION

x
: Civil Action No. 1:15-mc-00040-AKH
:

: CLASS ACTION
:

This Document Relates To:

ALL ACTIONS.

x

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/22/2020

NOTICE OF MOTION AND MOTION FOR LEAVE TO FILE UNDER SEAL EXHIBIT B TO
THE ~~PROPOSED~~ ORDER AND FINAL JUDGMENT

*Motion granted;
objection 7 lead plaintiff
is over-ruled.
1-21-20
Alvin K. Hellerstein*

PLEASE TAKE NOTICE that pursuant to Rule 4(B)(i) of this Court's Individual Rules of Practice and the Joint Stipulation and Protective Order entered by the Court on November 15, 2016 (ECF No. 324) (the "Protective Order"), Lead Plaintiff, by its undersigned attorneys, hereby moves this Court for leave to file Exhibit B to the [Proposed] Order and Final Judgment under seal. Exhibit B to the [Proposed] Order and Final Judgment contains a list of persons or entities that have entered into a settlement agreement or otherwise provided a release to any defendant relating to or arising from the purchase or other acquisition of American Realty Capital Properties, Inc. securities prior to October 29, 2014. It is Lead Plaintiff's understanding that many, if not all, of the settlement agreements were made on a confidential basis. Lead Plaintiff does not agree that the identities listed on Exhibit B are confidential and will be asking the Court at the hearing scheduled for January 21, 2020 to determine whether Exhibit B should remain sealed.

Pursuant to Paragraph 5(a) of the Protective Order and in accordance with Rule 4 of this Court's Individual Rules of Practice, Lead Plaintiff is contemporaneously herewith (1) submitting an unredacted copy of Exhibit B to the Court and (2) serving upon other parties in the action an unredacted copy of Exhibit B.

DATED: January 14, 2020

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